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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/169,127	12/20/1993	HISATO SHINOHARA	0756-0945	2677

31780

7590

08/14/2009

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 08/14/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

MARIANNE L. PADGETT

ART UNIT	PAPER
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1792 20090813

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Commissioner for Patents

After extensive consultation to determine whether or not the actual members of the BPAI will accept the presence of the new evidence submitted by Appellants for the first time in the 11/17/2008 Appeal Brief, it has been determined that the examiner may deem the references to be entered at this time & the case will be sent back up to the Board, as these references and the issue to which they pertain have already been discussed in the Examiner's Answer of 2/20/2009 (pages 10-12), hence the references US 7,381,599 B2 & US 7,416,907 B2 are considered entered at this time.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne L. Padgett whose telephone number is (571) 272-1425. The examiner can normally be reached on M-F from about 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks, can be reached at (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MLP/dictation software
8/13/2009

/Marianne L. Padgett/
Primary Examiner, Art Unit 1792